

08-02-06

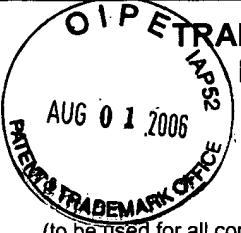
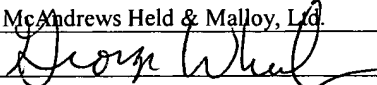
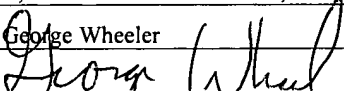
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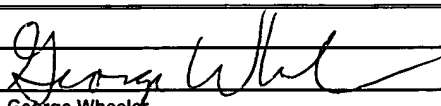
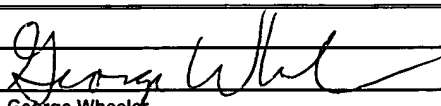
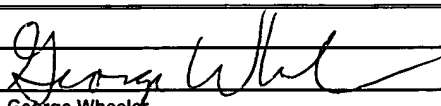
Approved for use through 7/31/2006

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|--|--|---|---|-----------------------------------|--|---|--|
|  <p>(to be used for all correspondence after initial filing)</p> | | Application Number | | 10/624,810 | | | |
| | | Filing Date | | July 22, 2003 | | | |
| | | First Named Inventor | | Jack Dunnous et al. | | | |
| | | Art Unit | | 1762 | | | |
| | | Examiner Name | | David P. Turocy | | | |
| Total Number of Pages in This Submission | | 13 | | Attorney Docket Number | | 16375US02 | |
| ENCLOSURES (check all that apply) | | | | | | | |
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | | | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return-Receipt Postcard <input type="checkbox"/> Other Enclosure(s) (please identify below): | |
| Remarks | | | | | | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | | | | | |
| Firm | | McAndrews Held & Malloy, Ltd. | | | | | |
| Signature | |  | | | | | |
| Printed Name | | George Wheeler | | | | | |
| Date | | August 1, 2006 | | | | | |
| CERTIFICATE OF MAILING | | | | | | | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 1, 2006 | | | | | | | |
| Name (Print/type) | | George Wheeler | | Registration No. (Attorney/Agent) | | 28,766 | |
| Signature | |  | | Date | | 08-01-06 | |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| <p>PTO</p> <p>FEE TRANSMITTAL</p> <p>for FY 2006</p> <p>AUG 01 2006</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> | | <p>Complete if Known</p> <p>Application Number: 10/624,810</p> <p>Filing Date: July 22, 2003</p> <p>First Named Inventor: Jack Dunnous et al.</p> <p>Examiner Name: David P. Turocy</p> <p>Art Unit: 6636</p> <p>Attorney Docket No.: 16375US02</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|--|-------------|--|---|--|-----------------------------------|----------------|---|-----|------------------------------|--|----------------------|---------|---------------------------|---------|----------------------|---------|-----|-----|-----|-----|-----|-----|--|--------|-----|-----|-----|----|-----|----|--|-------|-----|-----|-----|-----|-----|----|--|---------|-----|-----|-----|-----|-----|-----|--|-------------|-----|-----|---|---|---|---|--|
| <p>TOTAL AMOUNT OF PAYMENT (\$) 450.00</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>METHOD OF PAYMENT (check all that apply)</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____</p> <p><input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 13-0017 Deposit Account Name: McAndrews Held & Malloy</p> <p>For the above-identified deposit account, the Director is hereby authorized to (check all that apply)</p> <p><input checked="" type="checkbox"/> Charge Fee(s) indicated below <input type="checkbox"/> Charge Fee(s) indicated below, except for the filing fee</p> <p><input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fees(s) <input checked="" type="checkbox"/> Credit any overpayments under 37 CFR 1.16 and 1.17</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Application Type</th> <th colspan="2">FILING FEES</th> <th colspan="2">SEARCH FEES</th> <th colspan="2">EXAMINATION FEES</th> <th rowspan="2">Fees Paid(\$)</th> </tr> <tr> <th>Fee (\$)</th> <th>Small Entity Fee(\$)</th> <th>Fee(\$)</th> <th>Small Entity Fee(\$)</th> <th>Fee(\$)</th> <th>Small Entity Fee(\$)</th> </tr> </thead> <tbody> <tr> <td>Utility</td> <td>300</td> <td>150</td> <td>500</td> <td>250</td> <td>200</td> <td>100</td> <td></td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>100</td> <td>50</td> <td>130</td> <td>65</td> <td></td> </tr> <tr> <td>Plant</td> <td>200</td> <td>100</td> <td>300</td> <td>150</td> <td>160</td> <td>80</td> <td></td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>150</td> <td>500</td> <td>250</td> <td>600</td> <td>300</td> <td></td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>100</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td></td> </tr> </tbody> </table> | | | | Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid(\$) | Fee (\$) | Small Entity Fee(\$) | Fee(\$) | Small Entity Fee(\$) | Fee(\$) | Small Entity Fee(\$) | Utility | 300 | 150 | 500 | 250 | 200 | 100 | | Design | 200 | 100 | 100 | 50 | 130 | 65 | | Plant | 200 | 100 | 300 | 150 | 160 | 80 | | Reissue | 300 | 150 | 500 | 250 | 600 | 300 | | Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |
| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid(\$) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Fee (\$) | Small Entity Fee(\$) | Fee(\$) | Small Entity Fee(\$) | Fee(\$) | Small Entity Fee(\$) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>2. EXCESS CLAIM FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Fee Description</th> <th colspan="2">Small Entity</th> </tr> <tr> <th>Fee(\$)</th> <th>Fee(\$)</th> </tr> </thead> <tbody> <tr> <td>Each claim over 20 (including Reissues)</td> <td>50</td> <td>25</td> </tr> <tr> <td>Each independent claim over 3 (including Reissues)</td> <td>200</td> <td>100</td> </tr> <tr> <td>Multiple dependent claims</td> <td>360</td> <td>180</td> </tr> </tbody> </table> <p>Total Claims -20 or HP Extra Claims 9 Fee(\$) 50 Fee Paid (\$) 450.00</p> <p>HP = highest number of total claims paid for, if greater than 20</p> <p>Indep. Claims -3 or HP Extra Claims Fee(\$) Fee Paid (\$)</p> <p>HP = highest number of independent claims paid for, if greater than 3</p> | | | | Fee Description | Small Entity | | Fee(\$) | Fee(\$) | Each claim over 20 (including Reissues) | 50 | 25 | Each independent claim over 3 (including Reissues) | 200 | 100 | Multiple dependent claims | 360 | 180 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee Description | Small Entity | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Fee(\$) | Fee(\$) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Each claim over 20 (including Reissues) | 50 | 25 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Each independent claim over 3 (including Reissues) | 200 | 100 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multiple dependent claims | 360 | 180 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>3. APPLICATION SIZE FEE</p> <p>If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of each additional 50 or fraction thereof</th> <th>Fee(\$)</th> <th>Fee Paid(\$)</th> </tr> </thead> <tbody> <tr> <td>-100</td> <td>/50</td> <td>(round up to a whole number)</td> <td>x</td> <td>=</td> </tr> </tbody> </table> | | | | Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee(\$) | Fee Paid(\$) | -100 | /50 | (round up to a whole number) | x | = | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee(\$) | Fee Paid(\$) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| -100 | /50 | (round up to a whole number) | x | = | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>4. OTHER FEE(S)</p> <p>Non-English Specification, \$130 fee (no small entity discount)</p> <p>Other (e.g., late filing surcharge):</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>SUBMITTED BY</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Signature: </td> <td>Registration No. (Attorney/Agent): 28,766</td> <td>Telephone: (312)775-8000</td> </tr> <tr> <td>Name (print/type): George Wheeler</td> <td>Date: 08-01-06</td> <td></td> </tr> </table> | | | | Signature:  | Registration No. (Attorney/Agent): 28,766 | Telephone: (312)775-8000 | Name (print/type): George Wheeler | Date: 08-01-06 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Signature:  | Registration No. (Attorney/Agent): 28,766 | Telephone: (312)775-8000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Name (print/type): George Wheeler | Date: 08-01-06 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 16375US02)

In the Application of: Jack Dunnous, et al.

U.S. Serial No.: 10/624,810

Filed: July 22, 2003

For: METHOD AND APPARATUS FOR
PRODUCING MULTI-COLOR
CONCRETE

Examiner: David P. Turocy

Group Art Unit: 1762

Express Mail No.:

EV 164039395 US

Date of Deposit:

August 1, 2006

RESPONSE TO FINAL ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper responds to the final Office Action in the above-entitled application, mailed June 15, 2006. This Response is the submission accompanying a Request for Continued Examination in this application.

Amendments to the Claims begin on page two of this paper.

Remarks begin on page 10 of this paper.

08/03/2006 MWOLDGE1 00000018 130017 10624810

01 FC:1202 450.00 DA